

Order

Michigan Supreme Court
Lansing, Michigan

June 22, 2011

Robert P. Young, Jr.,
Chief Justice

140401

Michael F. Cavanagh
Marilyn Kelly
Stephen J. Markman
Diane M. Hathaway
Mary Beth Kelly
Brian K. Zahra,
Justices

VIVIAN ATKINS,
Plaintiff-Appellee,

v

SC: 140401
COA: 288461
Wayne CC: 07-721025-NI

SUBURBAN MOBILITY AUTHORITY FOR
REGIONAL TRANSPORTATION, d/b/a
SMART,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the October 22, 2009 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on whether to grant the application or take other action. MCR 7.302(H)(1). At oral argument, the parties shall address whether written notice of the plaintiff's no-fault claim, together with SMART's knowledge of facts that could give rise to a tort claim by the plaintiff, constituted written notice of her tort claim sufficient to comply with MCL 124.419. The parties may file supplemental briefs within 42 days of the date of this order, but they should not submit mere restatements of their application papers.

The Michigan Association for Justice and the Michigan Defense Trial Counsel, Inc. are invited to file briefs amicus curiae. Other persons or groups interested in the determination of the issues presented in this case may move the Court for permission to file briefs amicus curiae.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

June 22, 2011

Corbin R. Davis

Clerk